

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED

DEC 22 2017

CLERK, U.S. BANKRUPTCY COURT
WEST DIST. OF PENNSYLVANIA

In re:	:	Case No. 17-20492-GLT
	:	Chapter 11
JOSEPH CUERVO &	:	
MARY E. CUERVO,	:	
	:	
	:	
Debtor(s).	:	Related to Dkt. No. 131

**ORDER (I) APPROVING DISCLOSURE
STATEMENT; (II) SETTING DEADLINES; AND
(III) SCHEDULING HEARING ON PLAN CONFIRMATION**

AND NOW, upon consideration of the *Disclosure Statement to Accompany Amended Plan of Reorganization dated December 12, 2017* [Dkt. No. 131] ("*Disclosure Statement*") relating to the *Amended Plan of Reorganization filed December 12, 2017* [Dkt. No. 129] ("*Plan*"); and any objections to the *Disclosure Statement* having been resolved; and it appearing that the Court has jurisdiction over this matter; and due notice of the filing of the *Disclosure Statement*, the objection deadline, and the hearing thereon having been given; and just cause existing for the relief granted herein;

THE COURT HEREBY FINDS:

A. In accordance with section 1125 of title 11 of the United States Code ("Bankruptcy Code") and FED. R. BANKR. P. 3017(b), the *Disclosure Statement* is deemed to contain adequate information for all creditors and interest holders.

NOW THEREFORE, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Disclosure Statement* is **APPROVED** for solicitation by the Debtor(s) as provided herein.

2. A hearing to consider confirmation of the *Plan* and any objections thereto shall be held on **February 22, 2018** at **10:00 a.m.** in Courtroom A, 54th Fl., U.S. Steel Tower, 600 Grant Street, Pittsburgh, Pa. 15219.

3. Objections to confirmation of the *Plan*, if any, must be in writing, must state the name of the objecting party, its interest in the chapter 11 case, the nature of the objection, and the basis for the objection, and must be filed with the Court and served in a manner so as to be received by the Debtor(s), counsel to the Debtor(s), and the United States Trustee by no later than **January 31, 2018** at the following addresses:

Joseph & Mary Cuervo 8000 Sherwood Dr. Presto, PA 15142 <i>Debtors</i>	Gary W. Short, Esq. 212 Windgap Rd. Pittsburgh, PA 15237 <i>Counsel to the Debtors</i>	Larry E. Wahlquist, Esq. Office of the U.S. Trustee Liberty Center, Ste. 970 1001 Liberty Ave. Pittsburgh, PA 15222 <i>United States Trustee</i>
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4. The balloting deadline for voting on the *Plan* is **January 31, 2018**. All parties who are entitled to vote on the *Plan* must submit written ballots (either accepting or rejecting the *Plan*) to Debtors' counsel at the address listed in paragraph 3 of this *Order* so that the ballot is received no later than **January 31, 2018**.

5. The Debtors shall file a *Ballot Summary* no later than **February 7, 2018**.

6. On or before **December 29, 2017**, the Debtors shall send a *Solicitation Package* (defined herein) upon each creditor or party-in-interest who is entitled to vote on the Plan. The *Solicitation Package* shall include: (i) a copy of this *Order*; (ii) the amended *Disclosure Statement*; (iii) the *Plan Summary*; (iv) the *Plan*; and (v) a ballot conforming with Official Form 14. The *Solicitation Package* shall also be served upon the United States Trustee (without a ballot). A certificate of service indicating compliance with this paragraph shall be filed with the Court within three business days of service.

7. On or before **December 29, 2017**, the Debtors shall send a *Confirmation Hearing Package* (defined herein) upon all creditors and parties-in-interest pursuant to FED. R. BANKR. P. 2002 *to the extent such parties are not recipients of the Solicitation Package*. Recipients of the *Confirmation Hearing Package* shall include each of the following: (i) each person or entity that filed a proof of claim; (ii) each person or entity listed on the schedules (including any party to an executory contract); (iii) any party that filed a request for notice under FED. R. BANKR. P. 2002; (iv) any known holders of claims or equity interests in the Debtor(s); and (v) any other party contained on the creditors' matrix maintained by the Court. The *Confirmation Hearing Package* shall include: (i) this *Order*; (ii) the *Plan Summary*; and (iii) a notice containing: (a) a statement that the person or entity is not eligible to cast a vote on the *Plan*; and (b) instructions for requesting a copy of the *Plan* at no cost to the requesting party. A certificate of service indicating compliance with this paragraph shall be filed with the Court within three business days.

8. Pursuant to BANKR. W.D.PA. L.R 3018-1(f), the ballot shall include a separate section for creditors to accept or reject any third-party release contained in the plan (if applicable).

Dated: December 21, 2017



GREGORY J. TADDONIO
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Serve:
Debtors
Debtors' counsel
Office of the U.S. Trustee

Imaged Certificate of Notice Page 4 of 4

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Joseph Cuervo
Mary E. Cuervo
DebtorsCase No. 17-20492-GLT
Chapter 11**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: amaz
Form ID: pdf900Page 1 of 1
Total Noticed: 1

Date Rcvd: Dec 22, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Dec 24, 2017.

db/jdb +Joseph Cuervo, Mary E. Cuervo, 8000 Sherwood Drive, Presto, PA 15142-1078

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 24, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 22, 2017 at the address(es) listed below:

Gary William Short on behalf of Joint Debtor Mary E. Cuervo garyshortlegal@gmail.com,
gwshort@verizon.netGary William Short on behalf of Debtor Joseph Cuervo garyshortlegal@gmail.com,
gwshort@verizon.net

James Warmbrodt on behalf of Creditor The Bank of New York Mellon, f/k/a The Bank of New York, as Trustee for Structured Asset Mortgage Investments II Trust 2006-AR8, Mortgage Pass-Through Certificates, Series 2006-AR8 bkgroup@kmlawgroup.com

Larry E. Wahlquist on behalf of U.S. Trustee Office of the United States Trustee
larry.e.wahlquist@usdoj.govMario J. Hanyon on behalf of Creditor The Bank Of New York Mellon et al pawb@fedpne.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.govPeter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.comRobert C. Edmundson on behalf of Creditor Office of Attorney General Department of Revenue
redmundson@attorneygeneral.govS. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 9